

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

INDECK KEYSTONE ENERGY LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-325 Erie
)	
VICTORY ENERGY OPERATIONS)	Judge Sean J. McLaughlin
LLC,)	
)	
Defendant)	

ORDER

AND NOW, this _____ day of April, 2007, the Defendant's Motion for Ruling That The Court Has the Discretion to Award Damages, and to Determine the Appropriate Measure of Damages is granted and this Court hereby finds, as a matter of law, that this Court has the discretion to determine the appropriate measure of damages, if any, including monetary damages and injunctive relief.

Sean J. McLaughlin
United States District Judge